

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

Case No. 1:17-MD-2804

Hon. Dan A. Polster

**STATUS REPORT OF ZYDUS PHARMACEUTICALS (USA) INC.
AND NESHER PHARMACEUTICALS (USA) LLC**

ZyduS Pharmaceuticals (USA) Inc. (“ZyduS”) submits this status report in accordance with the Court’s October 7, 2022, Order (ECF No. 4670) requiring certain “Non-Litigating Defendants” to submit a status report listing all federal and state court cases that state claims against it and its “Defendant Families” involving the manufacturing, marketing, sale, distribution or dispensing of opioids.¹

ZyduS hereby submits the below list of cases on behalf of itself and Nesher Pharmaceuticals (USA) LLC (“Nesher”):²

#	<i>Case Caption</i>	<i>Court, Case No.</i>	<i>Plaintiff’s Counsel</i>	<i>Service³</i>
1	<i>IUPAT 21 v. Allergan, et. al.</i>	Delaware County Court of Common Pleas, No. 001983	Gregory Spizer (Anapol Weiss)	Yes
2	<i>IBEW 98 v. Endo Pharmaceuticals, et. al.</i>	Delaware County Court of Common Pleas, No. 002063	David S. Senoff (First Law Strategy Group)	Yes

¹ This status report should not be construed as a waiver of personal jurisdiction or any other defense that ZyduS and/or Nesher may raise in a Rule 12(b) motion at the appropriate time, if any.

² ZyduS and Nesher are a “Defendant Family” as defined in the Court’s October 7 Order. Cases in which Nesher is named as a defendant are denoted by an asterisk (*).

³ This column identifies whether ZyduS and/or Nesher received service in each case, as there are four MDL cases in which ZyduS was named as a party but has not been served. “Yes” indicates service, and “No” indicates no service.

3	<i>Jones County North Carolina v. AmerisourceBergen Drug Corp. et al.</i>	N.D. Ohio, 1:19-op-45142	Michael Jay Fuller, Jr. & Paul T. Farrell, Jr. (Farrell & Fuller);	Yes
4	<i>City of Canton v. Purdue Pharma L.P., et al.</i>	N.D. Ohio, 1:19-op-45462	William Q. Bird and Alexandria E. Seay (Bird Law Group); Robert K. Finnell, III (The Finnell Firm)	Yes
5	<i>Spirit Lake Tribe v. Purdue Pharma L.P., et al.</i>	N.D. Ohio, 1:18-op-45520	Timothy Q. Purdon and Holly H. Dolejsi (Robins Kaplan LLP)	Yes
6	<i>Quinault Indian Nation v. Purdue Pharma L.P., et al.</i>	N.D. Ohio, 1:18-op-46154	Timothy Q. Purdon, Holly H. Dolejsi, Timothy W. Billion, Tara D. Sutton, Shira T. Shapiro, Sarah E. Friedrichs, Brendan V. Johnson (Robins Kaplan LLP)	Yes
7	<i>County of Walker v. Optumrx, Inc., et al.*</i>	152 nd District Court of Harris County, TX, MDL No. 18-0358; Case No: 2019-29777 (Case No. prior to August 2022 remand: N.D. Ohio, 1:19-op-45713)	Marc A. Correro, (Correro & Leisure, P.C.)	Yes
8	<i>Passamaquoddy Tribe-Pleasant Point v. Purdue Pharma L.P. et al.</i>	N.D. Ohio, 1:19-op-45100	Ellin Relkin, Paul J. Pennock, John M. Broaddus (Weitz & Luxenberg); Kaighn Smith, Jr. and Michael-Corey F. Hinton (Drummond Woodsum); Neil T. Leifer (Neil T. Leifer, LLC)	No

9	<i>Passamaquoddy Tribe-Indian Township v. Purdue Pharma L.P. et al.</i>	N.D. Ohio, 1:18-op-45876	Ellin Relkin, Paul J. Pennock, John M. Broaddus (Weitz & Luxenberg); Kaighn Smith, Jr. and Michael-Corey F. Hinton (Drummond Woodsum); Neil T. Leifer (Neil T. Leifer, LLC)	No
10	<i>Standing Rock Sioux Tribe v. Purdue Pharma L.P. et al.</i>	N.D. Ohio, 1:18-op-45220	Timothy Q. Purdon and Holly H. Dolejsi (Robins Kaplan LLP)	Yes
11	<i>Estate of Bruce Brockel, Deceased, by and through Donna Brockel, as Personal Representative v. Endo Pharmaceuticals Inc. et al.*</i>	N.D. Ohio, 1:21-op-45089	David A. Busby and Jonathan R. Law (Daniel, Upton, Anderson, Law & Busby, P.C.)	Yes
12	<i>City of Paintsville, KY v. AmerisourceBergen Drug Corporation et al.</i>	N.D. Ohio, 1:19-op-45559	Emily Ward Roark (Bryant Law Center)	No
13	<i>City of Inez, KY v. Amerisourcebergen Drug Corporation et al.</i>	N.D. Ohio, 1:19-op-45499	Emily Ward Roark (Bryant Law Center)	No
14	<i>Bernstein v. Polites, D.O.</i>	St. Louis County, MO, No. 16SLCC04344	Gary K. Burger (Burger Law); Jeremy A. Gogel (Gogel Law Firm)	Yes

Dated: November 1, 2022

By: /s/ Arthur J. Liederman
 NY Bar No. AL0227
 /s/ Nicole M. Battisti
 NY Bar No. NB7583
MORRISON MAHONEY LLP
 Wall Street Plaza
 88 Pine Street, Suite 1900
 New York, NY 10005
 Tel: 212-825-1212
 Fax: 212-825-1313
aliederman@morrisonmahoney.com
nbattisti@morrisonmahoney.com

/s/ Lauren S. Colton
MD Bar No. 0012130264
HOGAN LOVELLS US LLP
100 International Drive
Suite 200
Baltimore, MD 21202
Tel: (410) 659-2733
lauren.colton@hoganlovells.com

*Attorneys for Defendants Zydus Pharmaceuticals
(USA) Inc. & Neshor Pharmaceuticals (USA) LLC*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was electronically filed and served upon counsel of record by operation of the Court's CM/ECF System on November 2, 2022.

A handwritten signature in cursive script, reading "Nicole Battisti".

Nicole M. Battisti, Esq.